

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

AGCS MARINE INSURANCE COMPANY,

Plaintiff,

v.

WORLD FUEL SERVICES, INC. and
WORLD FUEL SERVICES EUROPE, LTD.,

Defendants.

14-CV-5902 (PAE)

**DECLARATION OF
MARI K. BONTHUIS**

ECF Case

MARI K. BONTHUIS declares pursuant to 28 U.S.C. § 1746:

1. I am an attorney at Covington & Burling LLP, which serves as counsel to Defendants/Counterclaimants World Fuel Services, Inc. and World Fuel Services Europe, Ltd. (collectively “WFS”).

2. I make this declaration in order to place before the Court certain documents in connection with Defendants/Counterclaimants’ Motion for Summary Judgment.

3. A true and correct copy of excerpts from the deposition of Noreen Brosnan, taken on May 20, 2015, is attached as Exhibit 1.

4. A true and correct copy of a LinkedIn profile, which was Exhibit 1 in the deposition of Noreen Brosnan, is attached as Exhibit 2.

5. A true and correct copy of the WFS Submission, which was Exhibit 8 in the deposition of Noreen Brosnan, is attached as Exhibit 3.

6. A true and correct copy of an email dated September 25, 2013, from Noreen Brosnan to Robert Bartsch and others, which was Exhibit 14 in the deposition of Noreen Brosnan, is attached as Exhibit 4.

7. A true and correct copy of a Quotation for Marine Insurance – REVISED, which was Exhibit 25 in the deposition of Noreen Brosnan, is attached as Exhibit 5.

8. A true and correct copy of an email dated February 13, 2014, from Brian M. McClintock to Noreen Brosnan and others, which was Exhibit 35 in the deposition of Noreen Brosnan, is attached as Exhibit 6.

9. A true and correct copy of an email dated March 3, 2014, from Noreen Brosnan to herself, which was Exhibit 43 in the deposition of Noreen Brosnan, is attached as Exhibit 7.

10. A true and correct copy of excerpts from the deposition of Robert Bartsch, taken on July 15, 2015, and August 26, 2015, is attached as Exhibit 8.

11. A true and correct copy of an email dated September 3, 2013, from Robert Bartsch to Noreen Brosnan and others, with attachments, which was Exhibit 9 in the deposition of Robert Bartsch, is attached as Exhibit 9.

12. A true and correct copy of an email dated September 24, 2013, from Noreen Brosnan to Robert Bartsch and others, with an attachment, which was Exhibit 12 in the deposition of Robert Bartsch, is attached as Exhibit 10.

13. A true and correct copy of an email dated September 24, 2013, from Noreen Brosnan to Robert Bartsch and others, which was Exhibit 15 in the deposition of Robert Bartsch, is attached as Exhibit 11.

14. A true and correct copy of excerpts from the deposition of Nancy Zachariades, taken on July 7, 2015, is attached as Exhibit 12.

15. A true and correct copy of an email dated October 1, 2013, from Noreen Brosnan to Robert Bartsch and others, which was Exhibit 23 in the deposition of Robert Bartsch, is attached as Exhibit 13.

16. A true and correct copy of excerpts from the deposition of Ryan O'Connor, Plaintiff's corporate designee pursuant to Fed. R. Civ. P. 30(b)(6), taken on April 17, 2015, is attached as Exhibit 14.

17. A true and correct copy of a [REDACTED], which was Exhibit 5 in the deposition of Ryan O'Connor, is attached as Exhibit 15.

18. A true and correct copy of the [REDACTED], which was Exhibit 7 in the deposition of Ryan O'Connor, is attached as Exhibit 16.

19. A true and correct copy of the [REDACTED], which was Exhibit 22 in the deposition of Ryan O'Connor, is attached as Exhibit 17.

20. A true and correct copy of excerpts from the deposition of David Hornaday, taken on September 2, 2015, is attached as Exhibit 18.

21. A true and correct copy of excerpts from the deposition of David Hornaday, taken on September 4, 2015, is attached as Exhibit 19.

22. A true and correct copy of the Declaration of David Hornaday is attached as Exhibit 20.

23. A true and correct copy of the Declaration of Line Paulsen is attached as Exhibit 21.

24. A true and correct copy of an email dated November 6, 2013, from Ümit Karagoz to Line Paulsen, Bates-stamped WFS007657 to WFS007659, is attached as Exhibit 22.

25. A true and correct copy of an email dated November 6, 2013, from Regina Castro to “James Battell” and others, Bates-stamped WFS000857 to WFS000861, is attached as Exhibit 23.

26. A true and correct copy of an email dated November 25, 2013, from Ümit Karagoz to Line Paulsen and others, with an attachment, Bates-stamped WFS008101 to WFS008104, is attached as Exhibit 24.

27. A true and correct copy of an email produced by Marvel Maritime Ltd. (“Marvel”), Bates-stamped MARV00020 to MARV00021, is attached as Exhibit 25.

28. A true and correct copy of an email produced by Marvel, Bates-stamped MARV00144, is attached as Exhibit 26.

29. A true and correct copy of an email dated December 6, 2013, from “OCEAN PEARL,” Bates-stamped WFS009321, is attached as Exhibit 27.

30. A true and correct copy of an email dated December 7, 2013, from “Marida Marigold – MASTER,” Bates-stamped WFS009374, is attached as Exhibit 28.

31. A true and correct copy of an email produced by Marvel, Bates-stamped MARV00131, is attached as Exhibit 29.

32. A true and correct copy of a “1ST VOYAGE ORDER,” produced by Marvel, Bates-stamped MARV00132, is attached as Exhibit 30.

33. A true and correct copy of an email produced by Marvel, Bates-stamped MARV00133 to MARV00134, is attached as Exhibit 31.

34. A true and correct copy of a “2ND VOYAGE ORDER,” produced by Marvel, Bates-stamped MARV00135, is attached as Exhibit 32.

35. A true and correct copy of an email produced by Marvel, Bates-stamped MARV00252, is attached as Exhibit 33.

36. A true and correct copy of an email dated December 11, 2015, from Monjasa Accounts Dept. to London Marine Billing, attaching Monjasa Invoice # 52253, Bates-stamped WFS011144 to WFS011146, is attached as Exhibit 34.

37. A true and correct copy of an email dated December 13, 2015, from Monjasa Accounts Dept. to London Marine Billing, attaching Monjasa Invoice # 52305, Bates-stamped WFS011308 to WFS011310, is attached as Exhibit 35.

38. A true and correct copy of documents produced by Marvel, Bates-stamped MARV00259 to MARV00262, is attached as Exhibit 36.

39. A true and correct copy of documents produced by Marvel, Bates-stamped MARV00333 to MARV00340, is attached as Exhibit 37.

40. A true and correct copy of an email dated January 21, 2014, from Juliann Greenawalt to Sylvia Estevez-Plasencia and others, Bates-stamped WFS004631 to WFS004632, is attached as Exhibit 38.

41. A true and correct copy of excerpts from the deposition of John Frandsen, taken on August 27, 2015, is attached as Exhibit 39.

42. A true and correct copy of the Expert Report of Alan Jervis is attached as Exhibit 40.

43. A true and correct copy of excerpts from the deposition of Alan Jervis, taken on November 18, 2015, is attached as Exhibit 41.

44. A true and correct copy of excerpts from the deposition of Thomas Curran, taken on June 29, 2015, is attached as Exhibit 42.

45. A true and correct copy of an email dated February 27, 2014, from Nancy Zachariades to Thomas Curran, which was Exhibit 14 in the deposition of Thomas Curran, is attached as Exhibit 43.

46. A true and correct copy of an email dated March 3, 2014, from Thomas Curran to Andrew Jackson and others, which was Exhibit 23 in the deposition of Thomas Curran, is attached as Exhibit 44.

47. A true and correct copy of a letter dated March 19, 2014, from AGCS to WFS, which was Exhibit 32 in the deposition of Thomas Curran, is attached as Exhibit 45.

48. A true and correct copy of excerpts from the transcript of the pre-hearing conference held in this case on October 2, 2015, is attached as Exhibit 46.

49. A true and correct copy of excerpts from the deposition of Ute von Briel, taken on July 20, 2015, is attached as Exhibit 47.

50. A true and correct copy of a page from the AGCS website titled "Global Claims Management," which was Exhibit 2 in the deposition of Ute von Briel, is attached as Exhibit 48.

51. A true and correct copy of a New Marine Claim/Loss Report dated January 31, 2014, which was Exhibit 6 in the deposition of Ute von Briel, is attached as Exhibit 49.

52. A true and correct copy of an email dated February 3, 2014, from Ute von Briel to Nancy Zachariades and others, which was Exhibit 7 in the deposition of Ute von Briel, is attached as Exhibit 50.

53. A true and correct copy of an email dated March 3, 2014, from Dr. Andreas Shell to Ute von Briel, which was Exhibit 11 in the deposition of Ute von Briel, is attached as Exhibit 51.

54. A true and correct copy of Plaintiff's Amended Privilege Log, produced on April 1, 2015, is attached as Exhibit 52.

55. A true and correct copy of Plaintiff's Supplemental Privilege Log, produced on July 17, 2015, is attached as Exhibit 53.

56. I have reviewed both Exhibits 52 and 53 in addition to Plaintiff's Privilege Log (produced on March 27, 2015), Plaintiff's Second Privilege Log (produced on April 9, 2015), and Plaintiff's Third Privilege Log (produced on July 21, 2015). These logs reflect hundreds of communications between individuals at AGCS and their outside counsel at Nicoletti, Hornig & Sweeney.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 18, 2015 in New York, New York.

/s/ Mari K. Bonthuis
Mari K. Bonthuis